

PATENT DOCKET 204,728**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: LEE et al. EXAMINER:  
SERIAL NO.: 09/629,341 ART UNIT: 1752  
FILED: 1 AUG. 2000  
TITLE: NOVEL MATERIAL SEPARATED FROM  
ECKLONIA CAVA, METHOD FOR EXTRACTING  
AND PURIFYING THE SAME, AND  
USE THEREOF AS ANTIOXIDANTS

DATE: September 11, 2002

**WITHDRAWAL OF NOTICE OF ABANDONMENT AND  
RESTORATION OF APPLICATION PENDENCY**

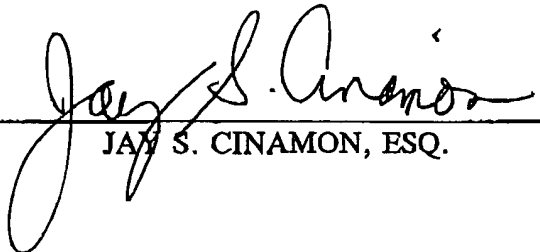
Assistant Commissioner for Patents  
Washington, D.C. 20231

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being facsimile-transmitted on this date,  
September 11, 2002, to the Patent and Trademark Office, Fax. No 703-305-8825

Attn: Mr. Dan Hunter

Typed or printed name of person signing this certificate

  
JAY S. CINAMON, ESQ.

RECEIVED  
SEP 13 2002  
FACSIMILE ROOM

Sir:

The subject application was filed in the USPTO on August 1, 2000 accompanied by an executed Declaration/Power of Attorney. A copy of the postcard signifying its receipt by the USPTO is enclosed.

Notwithstanding the fact that the executed Declaration accompanied the application, applicants received on September 22, 2000 from the USPTO a Notice to File Missing Parts of Non-Provisional application (copy enclosed).

On September 29, 2000 applicants submitted the enclosed Explanatory Letter to Janice Burse, as well as the executed Declaration and the aforesaid postcard.

On April 8, 2002, the enclosed letter was sent to Linda Hallman, accompanied by the postcard and the executed Declaration.


On May 15, 2002, applicant received the enclosed Notice of Abandonment.

On May 24, 2002, the enclosed letter was sent to Ms. Austin in the Office of Initial Patent Examination.

On May 29, 2002, the enclosed document-headed Resubmission of Executed Declaration - Notice of Abandonment In Error was sent by fax to Ms. Marcia Robinson of the Office of Initial Patent Examination.

Applicant respectfully requests that the Notice of Abandonment be rescinded and that the application be restored to pendency immediately.

Respectfully submitted,

  
JAY S. CINAMON  
Registration No. 24,156  
Attorney for Applicant(s)

**ABELMAN FRAYNE & SCHWAB**  
150 East 42nd Street  
New York, New York 10017-5612  
Tel. (212) 949-9022  
Fax (212) 949-9190

x222\204728.rad



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/629,341	08/01/2000	Bong-Ho Lee	204, 728

Abelman Frayne & Schwab  
Attorneys at Law  
150 East 42nd Street  
New York, NY 10017

## FORMALITIES LETTER

\*OC000000005421000\*

Date Mailed: 09/22/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

*A copy of this notice MUST be returned with the reply.*

*C. Maest*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

RECEIVED

AUG 11 2000

ABELMAN, FRAYNE & SCHWAB

Hon. Commissioner of Patents  
and Trademarks

Date Stamp as acknowledgement  
of receipt of:

LEE Control No.204,728

Appln. Transmitt.; Spec. w/claims; Declar. & Power  
of Att'y; Assign. w/cover sheet; Priority Doc.

JSC:es

8/1/00

Ck.No.5503

10:704 U.S. PTO

09/629341



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\*\*\* TX REPORT \*\*\*  
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TRANSMISSION OK

TX/RX NO 0332  
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SUBADDRESS  
CONNECTION ID  
ST. TIME 09/29 10:13  
USAGE T 01'51  
PGS. SENT 5  
RESULT OK

**ABELMAN, FRAYNE & SCHWAB**

Attorneys at Law  
150 East 42nd Street  
New York, New York 10017-5612

Telephone: (212) 949-9022  
Cable "LAWBEL" New York  
Telex: 661108 and 276592  
Facsimile: (212) 949-9190; (212) 949-9188  
Direct Dial (212) 885-9332

**FACSIMILE TRANSMISSION**

FROM: JAY S. CINAMON, ESQ.

TO: MS. JANICE BURSE  
COMPANY: U.S. PATENT AND TRADEMARK OFFICE  
DATE: September 29, 2000  
NUMBER OF PAGES (INCLUDING COVER SHEET): 1

FAX NO.: 703-308-7751  
FAX NO.:

IF THERE ARE ANY PROBLEMS IN RECEIVING THIS FACSIMILE, PLEASE CALL (212) 885-9354.

COMMENTS: RE: LEE ET AL.

USSN: 09/629,341  
Filed: August 1, 2000  
FOR: NOVEL MATERIAL SEPARATED  
FROM ECKLONIA CAVA, METHOD  
METHOD FOR EXTRACTING AND  
PURIFYING THE SAME, AND  
USE THEREOF AS ANTIOXIDANTS

**ABELMAN, FRAYNE & SCHWAB**

Attorneys at Law  
150 East 42nd Street  
New York, New York 10017-5612

Telephone: (212) 949-9022  
Cable "LAWBEL" New York  
Telex: 661108 and 276592  
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**TO:** MS. JANICE BURSE  
**COMPANY:** U.S. PATENT AND TRADEMARK OFFICE

**FAX NO.:** 703-308-7751

**DATE:** September 29, 2000

**FAX NO.:**

**NUMBER OF PAGES (INCLUDING COVER SHEET):** 1

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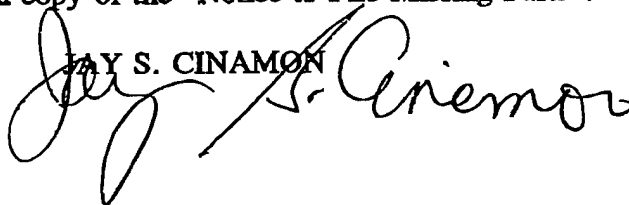
FOR: NOVEL MATERIAL SEPARATED  
FROM ECKLONIA CAVA, METHOD  
METHOD FOR EXTRACTING AND  
PURIFYING THE SAME, AND  
USE THEREOF AS ANTIOXIDANTS

Our Ref.: 204,728

Dear Ms. Burse:

The attached Notice to File Missing Parts is in error since the executed Declaration was filed on August 1, 2000 with the original filing of the application.

Enclosed, pursuant to our conversation, are copies of the executed Declaration filed originally and the postcard signifying PTO receipt and a copy of the "Notice to File Missing Parts".

JAY S. CINAMON  


RECEIVED

AUG 11 2000

ABELMAN, FRAYNE & SCHWAR

Hon. Commissioner of Patents  
and Trademarks

Date Stamp as acknowledgement  
of receipt of:

LEE Control No.204,728

Appln. Transmitt.; Spec. w/claims; Declar. & Power  
of Att'y; Assign. w/cover sheet; Priority Doc.

JSC:es

8/1/00

Ck.No.5503

30764 U.S. PTO

09/629341



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\*\*\* TX REPORT \*\*\*  
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TRANSMISSION OK

TX/RX NO	0944
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SUBADDRESS	
CONNECTION ID	PTO-CORRES/MAIL
ST. TIME	04/08 10:25
USAGE T	02'28
PGS. SENT	6
RESULT	OK

**ABELMAN, FRAYNE & SCHWAB**

Attorneys at Law  
150 East 42nd Street  
New York, New York 10017-5612

Telephone: (212) 949-9022  
Cable "LAWBEL" New York  
Telex: 661108 and 276592  
Facsimile: (212) 949-9190; (212) 949-9188  
Direct Dial (212) 885-9332

**FACSIMILE TRANSMISSION**

FROM: JAY S. CINAMON, ESQ.  
TO: LINDA HALLMAN  
COMPANY: U.S. PATENT OFFICE, APPLICATION BRANCH  
DATE: April 8, 2002  
NUMBER OF PAGES (INCLUDING COVER SHEET): 6 FAX NO.: 703-305-9863

IF THERE ARE ANY PROBLEMS IN RECEIVING THIS FACSIMILE, PLEASE CALL (212) 885-9354.

COMMENTS: RE: LEE ET AL.  
USSN: 09/629,341  
Filed: August 1, 2000  
FOR: NOVEL MATERIAL SEPARATED FROM  
ECKLONIA CAVA, ...  
Our Ref.: 204,728

Dear Ms. Hallman:

Confirming our telephone conversation of April 8, 2002, the subject application was filed with the executed Declaration. A copy of the executed Declaration is enclosed along with a copy of the postcard received from



**ABELMAN, FRAYNE & SCHWAB**

Attorneys at Law  
150 East 42nd Street  
New York, New York 10017-5612

Telephone: (212) 949-9022  
Cable "LAWBEL" New York  
Telex: 661108 and 276592  
Facsimile: (212) 949-9190; (212) 949-9188  
Direct Dial (212) 885-9332

**FACSIMILE TRANSMISSION**

**FROM:** JAY S. CINAMON, ESQ.  
**TO:** LINDA HALLMAN  
**COMPANY:** U.S. PATENT OFFICE, APPLICATION BRANCH **FAX NO.:** 703-305-9863  
**DATE:** April 8, 2002  
**NUMBER OF PAGES (INCLUDING COVER SHEET):** 6

**IF THERE ARE ANY PROBLEMS IN RECEIVING THIS FACSIMILE, PLEASE CALL (212) 885-9354.**

**COMMENTS:** RE: LEE ET AL.  
USSN: 09/629,341  
Filed: August 1, 2000  
FOR: NOVEL MATERIAL SEPARATED FROM  
ECKLONIA CAVA, ...  
Our Ref.: 204,728

Dear Ms. Hallman:

Confirming our telephone conversation of April 8, 2002, the subject application was filed with the executed Declaration. A copy of the executed Declaration is enclosed, along with a copy of the postcard received from the USPTO.

In addition, I enclose herewith a copy of the Notice to File Missing Parts which was incorrectly sent on September 22, 2000, as well as my response to Janice Burse of September 29, 2000.

Please insure that this application is not abandoned.

Sincerely,

  
Jay S. Cinamon

JSC:bk  
enclosures



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/629,341	08/01/2000	Bong-Ho Lee	204, 728

CONFIRMATION NO. 7275

Abelman Frayne & Schwab  
Attorneys at Law  
150 East 42nd Street  
New York, NY 10017

ABANDONMENT/TERMINATION  
LETTER

\*OC000000008112038\*

Date Mailed: 05/15/2002

## NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 09/22/2000.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

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\*\*\* TX REPORT \*\*\*  
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SUBADDRESS  
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RESULT OK

PATENT DOCKET 204.728

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: LEE et al. EXAMINER:  
SERIAL NO.: 09/629,341 ART UNIT: 1752  
FILED: 1 AUG. 2000  
TITLE: NOVEL MATERIAL SEPARATED FROM ECKLONIA CAVA,  
METHOD FOR EXTRACTING AND PURIFYING THE SAME,  
AND USE THEREOF AS ANTI-OXIDANTS

DATE: May 24, 2002

**SUBMITTED BY FAX TO**

Office of Initial Patent Examination

ATTN: MS. AUSTIN

Fax No.: (703) 308-7751

Submitted by JAY S. CINAMON on May 24, 2002  
to Fax No. (703) 308-7751

A. P. D.

PATENT DOCKET 204,728

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: LEE et al. EXAMINER:  
SERIAL NO.: 09/629,341 ART UNIT: 1752  
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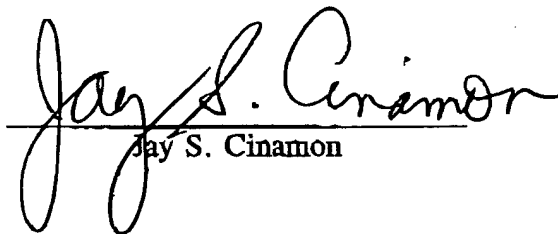
DATE: May 24, 2002

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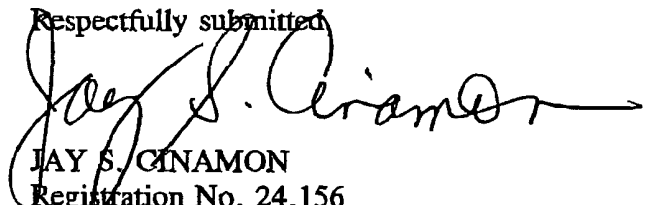
  
Jay S. Cinamon

**REMARKS**

In response to Ms. Austin's telephone call of Friday, May 24, 2002, with respect to our earlier telephone conversation of May 23 regarding the Notice of Abandonment in the subject application, submitted herewith per Ms. Austin's request, please find the correspondence that I had previously sent to Linda Hallman on April 8, 2002 to Janice Burse on September 29, 2000.

Withdrawal of the Notice of Abandonment, which was issued erroneously, is respectfully solicited.

Respectfully submitted



JAY S. CINAMON  
Registration No. 24,156  
Attorney for Applicant(s)

**ABELMAN FRAYNE & SCHWAB**  
150 East 42nd Street  
New York, New York 10017-5612  
Tel. (212) 949-9022  
Fax (212) 949-9190

x222\204728.fax

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\*\*\* TX REPORT \*\*\*  
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TRANSMISSION OK

TX/RX NO 2710  
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SUBADDRESS  
CONNECTION ID  
ST. TIME 05/29 14:57  
USAGE T 02'32  
PGS. SENT 9  
RESULT OK

PATENT DOCKET 204,728IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: LEE ET AL. EXAMINER:  
SERIAL NO.: 09/629,341 ART UNIT.: 1752  
FILED: August 1, 2000  
TITLE: NOVEL MATERIAL SEPARATED  
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THE SAME, AND USE THEREOF  
AS ANTIOXIDANTS

DATE: May 29, 2002

RESUBMISSION OF EXECUTED DECLARATION  
NOTICE OF ABANDONMENT IN ERROR

Hon. Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office Fax No. 703-308-7751

ATTENTION: OFFICE OF INITIAL PATENT EXAMINATION (OIPE)  
MS MARCIA BORINSON

PATENT DOCKET 204,728**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS: LEE ET AL. EXAMINER:  
SERIAL NO.: 09/629,341 ART UNIT.: 1752  
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DATE: May 29, 2002

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Washington, D.C. 20231

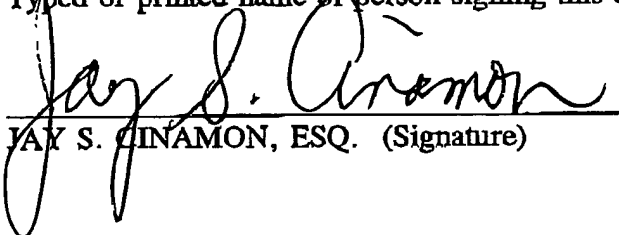
**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office Fax No. 703-308-7751

ATTENTION: OFFICE OF INITIAL PATENT EXAMINATION (OIPE)  
MS. MARCIA ROBINSON

on May 29, 2002  
(Date)

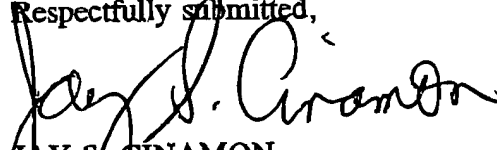
Typed or printed name of person signing this certificate

  
JAY S. CINAMON, ESQ. (Signature)

In response to Ms. Robinson's telephone call of Friday, May 24, 2002, with respect to our earlier telephone conversation of May 23, 2002 regarding the Notice of Abandonment in the subject application, submitted herewith per Ms. Robinson's request, please find the correspondence that I had previously sent to Linda Hallman on April 8, 2002 and to Janice Burse on September 29, 2000.

Withdrawal of the Notice of Abandonment, which was issued erroneously, is respectfully solicited.

Respectfully submitted,



JAY S. CINAMON  
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Attorney for Applicants

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